

94-103

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CTIA

Cellular  
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Industry Association  
1250 Connecticut  
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Washington, D.C. 20036  
202-785-0081 Telephone  
202-785-0721 Fax

September 20, 1994

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W. Room 222  
Washington, D.C. 20554

RECEIVED

SEP 20 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Re: Ex Parte Filing  
PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation

Dear Mr. Caton:

On Tuesday, September 20, 1994, copies of the attached letters, and referenced Oppositions to State Petitions, were served on:

Chairman Reed Hundt  
Commissioner Andrew C. Barrett  
Commissioner Susan Ness  
Commissioner Rachelle B. Chong  
Commissioner James H. Quello

Ms. Karen Brinkmann  
Mr. James Coltharp  
Mr. David Siddall  
Ms. Jill Luckett  
Mr. Rudolfo Baca

Pursuant to Section 1.1206 of the Commission's Rules, an original and one copy of this letter and the attachment are being filed with your office.

If there are any questions in this regard, please contact the undersigned.

Sincerely,

  
Robert F. Roche

Attachments

No. of Copies rec'd  
List ABCDE

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OFFICE OF THE SECRETARY



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Randall S. Coleman  
Vice President for  
Regulatory Policy and Law

September 20, 1994

Chairman Reed Hundt  
Federal Communications Commission  
1919 M Street, N.W. Room 814  
Washington, D.C. 20554

RE: PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation

Dear Chairman Hundt:

Last year, Congress amended the Communications Act to create a uniform, nationwide, streamlined regulatory regime for mobile telecommunications services and to ensure that substantially similar services are subject to similar regulation. In order to "foster the growth and development of mobile services that, by their nature, operate without regard to state lines as an integral part of the national telecommunications infrastructure," Congress granted the Commission discretion to forbear from imposing certain Title II requirements upon Commercial Mobile Radio Service (CMRS) providers, and preempted state regulation of entry and rates for all reclassified CMRS providers.

On August 10, 1994, eight states filed petitions with the Commission requesting authority to "continue" regulating CMRS rates and entry. These states, however, have failed to meet their burden of proof under the Omnibus Budget Reconciliation Act. They have failed to file the evidence, information and analysis called for by the Act or by the Commission demonstrating that state regulation is necessary to protect the consumer.

The Cellular Telecommunications Industry Association, in response to these petitions, *has* assembled evidence that demonstrates that the CMRS marketplace is performing competitively. CTIA's Opposition to these petitions includes information on the rapid disappearance of barriers to entry to the CMRS marketplace, the increasing substitutability of CMRS services, the degree of customer satisfaction with CMRS services, and the adverse effect on competition and consumer welfare of state rate and entry regulation.



CTIA urges the Commission to reject the unsubstantiated state petitions, and instead permit the CMRS marketplace to grow and develop without unwarranted and inconsistent state rate and entry regulation.

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Sincerely,

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Randall S. Coleman

Attachments



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**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

September 20, 1994

Mr. Rudolfo Baca  
Legal Advisor to Commisioner James H. Quello  
Federal Communications Commission  
1919 M Street, N.W. Room 802  
Washington, D.C. 20554

RE: PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation

Dear Rudy:

Last year, Congress amended the Communications Act to create a uniform, nationwide, streamlined regulatory regime for mobile telecommunications services and to ensure that substantially similar services are subject to similar regulation. In order to "foster the growth and development of mobile services that, by their nature, operate without regard to state lines as an integral part of the national telecommunications infrastructure," Congress granted the Commission discretion to forbear from imposing certain Title II requirements upon Commercial Mobile Radio Service (CMRS) providers, and preempted state regulation of entry and rates for all reclassified CMRS providers.

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Sincerely,

Randall S. Coleman

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**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

September 20, 1994

Ms. Jill Lockett  
Special Advisor to Commisioner Rachelle B. Chong  
Federal Communications Commission  
1919 M Street, N.W. Room 844  
Washington, D.C. 20554

RE: PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation

Dear Jill:

Last year, Congress amended the Communications Act to create a uniform, nationwide, streamlined regulatory regime for mobile telecommunications services and to ensure that substantially similar services are subject to similar regulation. In order to "foster the growth and development of mobile services that, by their nature, operate without regard to state lines as an integral part of the national telecommunications infrastructure," Congress granted the Commission discretion to forbear from imposing certain Title II requirements upon Commercial Mobile Radio Service (CMRS) providers, and preempted state regulation of entry and rates for all reclassified CMRS providers.

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Randall S. Coleman

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**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

September 20, 1994

Mr. James Coltharp  
Special Advisor to Commissioner Andrew C. Barrett  
Federal Communications Commission  
1919 M Street, N.W. Room 826  
Washington, D.C. 20554

RE: PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation

Dear Jim:

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Randall S. Coleman

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**Randall S. Coleman**  
Vice President for  
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September 20, 1994

Ms. Karen Brinkmann  
Special Assistant to Chairman Reed Hundt  
Federal Communications Commission  
1919 M Street, N.W. Room 814  
Washington, D.C. 20554

RE: PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation

Dear Karen:

Last year, Congress amended the Communications Act to create a uniform, nationwide, streamlined regulatory regime for mobile telecommunications services and to ensure that substantially similar services are subject to similar regulation. In order to "foster the growth and development of mobile services that, by their nature, operate without regard to state lines as an integral part of the national telecommunications infrastructure," Congress granted the Commission discretion to forbear from imposing certain Title II requirements upon Commercial Mobile Radio Service (CMRS) providers, and preempted state regulation of entry and rates for all reclassified CMRS providers.

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Randall S. Coleman

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**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

September 20, 1994

Mr. David Siddall  
Legal Advisor to Commissioner Susan Ness  
Federal Communications Commission  
1919 M Street, N.W. Room 832  
Washington, D.C. 20554

RE: PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation

Dear Dave:

Last year, Congress amended the Communications Act to create a uniform, nationwide, streamlined regulatory regime for mobile telecommunications services and to ensure that substantially similar services are subject to similar regulation. In order to "foster the growth and development of mobile services that, by their nature, operate without regard to state lines as an integral part of the national telecommunications infrastructure," Congress granted the Commission discretion to forbear from imposing certain Title II requirements upon Commercial Mobile Radio Service (CMRS) providers, and preempted state regulation of entry and rates for all reclassified CMRS providers.

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Randall S. Coleman

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**Randall S. Coleman  
Vice President for  
Regulatory Policy and Law**

September 20, 1994

Commisioner James H. Quello  
Federal Communications Commission  
1919 M Street, N.W. Room 802  
Washington, D.C. 20554

RE: PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation

Dear Commissioner Quello:

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**Randall S. Coleman**  
Vice President for  
Regulatory Policy and Law

September 20, 1994

Commissioner Rachelle B. Chong  
Federal Communications Commission  
1919 M Street, N.W. Room 844  
Washington, D.C. 20554

RE: PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation

Dear Commissioner Chong:

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September 20, 1994

**Commisioner Susan Ness  
Federal Communications Commission  
1919 M Street, N.W. Room 832  
Washington, D.C. 20554**

**RE: PR File Nos. 94-SP1 through 94-SP8  
Petitions to Extend Rate Regulation**

**Dear Commissioner Ness:**

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September 20, 1994

Commissioner Andrew C. Barrett  
Federal Communications Commission  
1919 M Street, N.W. Room 826  
Washington, D.C. 20554

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